

Notice of Allowability

Application No.

10/802,265

Examiner

Jason M. Han

Applicant(s)

MAGLICA, ANTHONY

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05 March 2007.
2. ☒ The allowed claim(s) is/are 12-18, 20-36, 38-40, 86-135, 147, 149-155, 157, 158, 160-171, 174, 175, 178-195 and 206-235.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20070413</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles C. Wong on Friday, April 13, 2007.

The application has been amended as follows:

- a. Claim 149, Lines 11-13: Replace "adjusting the position of said lamp bulb filament relative to said reflector axis and aligning said substantial point source of light with said reflector axis" with -- moving said lamp bulb filament in a direction substantially perpendicular to said reflector axis --
- b. Claim 160, Lines 18-19: Replace "to position said substantial point source of light coaxial with said reflector axis" with -- in a direction substantially perpendicular to said reflector axis --
- c. Cancel Claims 172-173 and 176-177
- d. Claim 221, Line 2: Replace "actuating" with -- actuation --
- e. Claim 226, Line 2: Replace "a reflector" with -- wherein the reflector --
- f. Claim 226, Line 4: Replace "a light source" with -- wherein the light source --
- g. Claim 226, Line 5: Replace "a movable holder" with -- wherein the movable holder"

- h. Claim 226, Line 7: Replace “an actuating member” with -- wherein the actuating member --
- i. Claim 226, Following Line 1, which reads, “A flashlight comprising:”, Insert -- a housing, the housing includes a reflector, a light source, a movable holder, and an actuating member; --
- j. Claim 231, Line 8, Following “direction substantially perpendicular to said axis of said reflector”: Insert -- while said light source is electrically coupled to a source of energy --
- k. Claim 232, Line 7, Following “wherein said movable holder is movable about at least a first axis”: Insert -- while said light source is electrically coupled to a source of energy --

Allowable Subject Matter

- 2. Claims 12-18, 20-36, 38-40, 86-135, 147, 149-155, 157-158, 160-171, 174-175, 178-195, and 206-235 are allowed.
- 3. The following is an examiner’s statement of reasons for allowance: The Applicant has sufficiently amended and incorporated the allowable subject matter indicated in the previous Office action and via Examiner’s Amendment above. The prior art fails to teach or suggest the combination of structural limitation claimed therein, or similarly, to a light source apparatus that moves a light source holder perpendicularly relative to a reflector axis via an actuating interface/member (externally operable), and while maintaining electrical contact between a light source and a source of energy.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

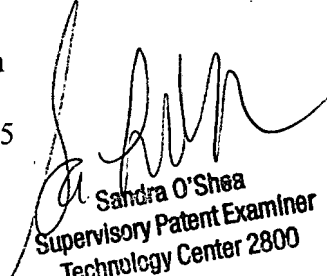
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason M Han
Examiner
Art Unit 2875


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

JMH (4/15/2007)